

AMENDED IN ASSEMBLY APRIL 17, 2017

CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1482**

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**Introduced by Assembly Member Kiley**

February 17, 2017

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~~An act to amend Section 33434 of, and to repeal Article 10 (commencing with Section 33430) of Chapter 3 of Part 20 of Division 2 of Title 2 of, the Education Code, relating to education finance. An act to amend Section 46600 of the Education Code, relating to pupil attendance.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1482, as amended, Kiley. ~~Education finance: Safe Neighborhoods and Schools Fund: Learning Communities for School Success Program. Interdistrict attendance: pupils who are English learners, eligible for a free or reduced-price meal, and foster youth.~~

*Existing law authorizes the governing boards of 2 or more school districts to enter into an agreement, for a term not to exceed 5 school years, for the interdistrict attendance of pupils who are residents of the school districts. Existing law, regardless of whether there is an agreement or permit, prohibits a school district of residence from prohibiting the transfer of a pupil who is a child of an active military duty parent to the school district of proposed enrollment if the school district of proposed enrollment approves the application for transfer.*

*This bill would also prohibit a school district of residence from prohibiting the transfer of a pupil who is an English learner, eligible for a free or reduced-price meal, or a foster youth.*

~~Existing law, the Safe Neighborhoods and Schools Act, enacted by Proposition 47, as approved by the voters at the November 4, 2014,~~

~~statewide general election, among other things, established the Safe Neighborhoods and Schools Fund, a continuously appropriated fund, which is funded by savings that accrue to the state from the implementation of the act. The act provides that, among other purposes, 25% of the funds shall be disbursed to the State Department of Education to administer a grant program to public agencies aimed at improving outcomes for public school pupils by reducing truancy and supporting pupils who are at risk of dropping out of school or are victims of crime.~~

~~Existing law establishes the Learning Communities for School Success Program for the purpose of implementing that grant program described above, subject to an appropriation to the Safe Neighborhoods and Schools Fund in the annual Budget Act or another statute for the purposes of the program. Existing law requires the department to submit an interim report of preliminary evaluation findings to the Legislature on or before January 31, 2019, and to submit a final evaluation of the program to the Legislature on or before January 31, 2020.~~

~~This bill would change the dates those reports are due from January 31 to January 1 of the respective year. The bill also would repeal duplicative provisions regarding the Learning Communities for School Success Program.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 46600 of the Education Code is amended  
2     to read:  
3     46600. (a) (1) The governing boards of two or more school  
4     districts may enter into an agreement, for a term not to exceed five  
5     school years, for the interdistrict attendance of pupils who are  
6     residents of the school districts. The agreement may provide for  
7     the admission to a school district other than the school district of  
8     residence of a pupil who requests a permit to attend a school district  
9     that is a party to the agreement and that maintains schools and  
10    classes in kindergarten or any of grades 1 to 12, inclusive, to which  
11    the pupil requests admission. Once a pupil in kindergarten or any  
12    of grades 1 to 12, inclusive, is enrolled in a school pursuant to this  
13    chapter, the pupil shall not have to reapply for an interdistrict  
14    transfer, and the governing board of the school district of  
15    enrollment shall allow the pupil to continue to attend the school

1 in which he or she is enrolled, except as specified in paragraphs  
2 (2) and (4).

3 (2) The agreement shall stipulate the terms and conditions under  
4 which interdistrict attendance shall be permitted or denied. The  
5 agreement may contain standards for reapplication agreed to by  
6 the school district of residence and the school district of enrollment  
7 that differ from the requirements prescribed by paragraph (1). The  
8 agreement may stipulate terms and conditions established by the  
9 school district of residence and the school district of enrollment  
10 under which the permit may be revoked.

11 (3) The supervisor of attendance of the school district of  
12 residence shall issue an individual permit verifying the school  
13 district's approval, pursuant to policies of the governing board of  
14 the school district and terms of the agreement for the transfer. A  
15 permit shall be valid upon concurring endorsement by the designee  
16 of the governing board of the school district of proposed  
17 enrollment. The stipulation of the terms and conditions under which  
18 the permit may be revoked is the responsibility of the school district  
19 of enrollment.

20 (4) Notwithstanding paragraph (2), a school district of residence  
21 or school district of enrollment shall not rescind existing transfer  
22 permits for pupils entering grade 11 or 12 in the subsequent school  
23 year.

24 (b) A pupil who has been determined by personnel of either the  
25 school district of residence or the school district of proposed  
26 enrollment to have been the victim of an act of bullying, as defined  
27 in subdivision (r) of Section 48900, committed by a pupil of the  
28 school district of residence shall, at the request of the person having  
29 legal custody of the pupil, be given priority for interdistrict  
30 attendance under any existing interdistrict attendance agreement  
31 or, in the absence of an agreement, be given additional  
32 consideration for the creation of an interdistrict attendance  
33 agreement.

34 (c) In addition to the requirements of subdivision (e) of Section  
35 48915.1, and regardless of whether an agreement exists or a permit  
36 is issued pursuant to this section, any school district may admit a  
37 pupil expelled from another school district in which the pupil  
38 continues to reside.

39 (d) (1) Notwithstanding any other law, and regardless of  
40 whether an agreement exists or a permit is issued pursuant to this

1 section, a school district of residence shall not prohibit the transfer  
2 of a pupil who is *an English learner, eligible for a free or*  
3 *reduced-price meal, or a foster youth, or who is a child of an active*  
4 *military duty parent* to a school district of proposed enrollment if  
5 the school district of proposed enrollment approves the application  
6 for transfer.

7 (2) (A) For purposes of this subdivision, “active military duty  
8 parent” means a parent with full-time military duty status in the  
9 active uniformed service of the United States, including members  
10 of the National Guard and the State Military Reserve on active  
11 duty orders pursuant to Chapter 1209 (commencing with Section  
12 12301) and Chapter 1211 (commencing with Section 12401) of  
13 Part II of Subtitle E of Title 10 of the United States Code.

14 (B) For purposes of this subdivision, “parent” means the natural  
15 or adoptive parent or guardian of a dependent child.

16 ~~SECTION 1. Article 10 (commencing with Section 33430) of~~  
17 ~~Chapter 3 of Part 20 of Division 2 of Title 2 of the Education Code,~~  
18 ~~as added by Section 2 of Chapter 533 of the Statutes of 2016, is~~  
19 ~~repealed.~~

20 ~~SEC. 2. Section 33434 of the Education Code, as added by~~  
21 ~~Section 2 of Chapter 397 of the Statutes of 2016, is amended to~~  
22 ~~read:~~

23 ~~33434. (a) A local educational agency that receives grant~~  
24 ~~funding pursuant to this article shall evaluate and report to the~~  
25 ~~governing board of the school district, the county board of~~  
26 ~~education, or its chartering authority, as applicable, and the~~  
27 ~~department the results of the activities it undertakes pursuant to~~  
28 ~~this article. The department shall compile information from grantee~~  
29 ~~reports as part of an overall evaluation of the grant program~~  
30 ~~implementation. The department shall assess the benefits of~~  
31 ~~participation in the program and identify the pupil and school~~  
32 ~~outcomes associated with the strategies and programs implemented~~  
33 ~~by grantees. The department shall submit an interim report of~~  
34 ~~preliminary evaluation findings to the Legislature on or before~~  
35 ~~January 1, 2019, and a final evaluation report to the Legislature~~  
36 ~~on or before January 1, 2020.~~

37 ~~(b) (1) A report to be submitted pursuant to subdivision (a)~~  
38 ~~shall be submitted in compliance with Section 9795 of the~~  
39 ~~Government Code.~~

1     ~~(2) Pursuant to Section 10231.5 of the Government Code, this~~  
2     ~~section is repealed on January 31, 2024.~~

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